

Page



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,934	07/25/2001	Julie E. Fouquet	10011085-1	8275

7590 10/08/2004

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER

VU, THONG H

ART UNIT PAPER NUMBER

2142

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/915,934

Applicant(s)

FOUQUET ET AL.

Examiner

Thong H Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) *
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2142

1. Claims 1-27 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3,5-8,11-27 are rejected under 35 U.S.C. § 103 as being unpatentable over Fields et al [Fields 6,605,120 B1] in view of Mattson et al [Mattson 5,983,269].

3. As per claim 1, Fields discloses a method for establishing a network for communicating a message [Fields, Internet, abstract], the method comprising:

providing a network including topographic network devices and communication link interconnecting the topographic network devices, the topographic network devices each having a physical location represented by a topographic coordinate set [Fields, the topographical map with three components A,B,C, col 13 line 63-col 14 line 5]; and

However Fields does not detail for each one of the topographic network devices: assigning to the one of the topographic network devices a network address that includes the topographic coordinate set thereof, transmitting the topographic coordinate set of the one of the topographic network devices to the topographic network devices directly connected thereto, and receiving and storing the topographic coordinate set at at least one of the topographic network devices directly connected thereto.

A skilled artisan would have motivation to modify the communication process using a topographical map and found Mattson teaching. Mattson discloses a method and apparatus for configuring routing paths by assigning addresses using the topographical information to establish the most direct route between system elements [Mattson, abstract, col 2 lines 20-62; col 10 lines 46-63; col 14 lines 24-40]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the configuring routing paths by assigning addresses using the topographical information to establish the most direct route between system elements as taught by Mattson into the Fields apparatus in order to utilize the topographical map. Doing so would provide a quick, direct and simple process to send a message to a network device over Internet.

4. As per claim 2, Fields-Mattson disclose transmitting, in response to receiving the topographic coordinate set, a topographic coordinate set from each of the at least one of the topographic network devices; and receiving and storing the topographic coordinate set from the each of the at least one of the topographic network devices at the one of the topographic network devices as a respective connected device coordinate set [Fields, the topographical map is sent to the user interface builder, col 13 line 63-col 14 line 25].

5. As per claim 3, Fields-Mattson disclose the topographic network devices include a source network device, a destination network device and an intermediate network

Art Unit: 2142

device (i.e.: router proxy server), and ones of the topographic network devices, including the intermediate network device, have stored therein the topographic coordinate sets of at least one of the topographic network devices directly connected thereto as respective connected device coordinate sets [Fields, a proxy server, col 20 line 66-col 21 line 4]; and

the method additionally comprises transmitting the message from the source network device to the destination network device, the message including the topographic coordinate set of the destination network device as a destination coordinate set, including:

receiving the message at the intermediate network device, identifying, from the topographic coordinate set of the destination network device and the connected device coordinate sets stored in the intermediate network device, a one of the topographic network devices directly connected to the intermediate network device that is physically closer to the destination network device than the intermediate network device, and transmitting the message from the intermediate network device to the identified one of the topographic network devices [Fields, the topographical map with three components A,B,C, col 13 line 63-col 14 line 5; serving the content to the end user directly, col 6 lines 10-30].

6. As per claim 5, Fields-Mattson disclose assigning a network address to the one of the topographic network devices includes:

Art Unit: 2142

providing a map [Fields, the topographical map with three components A,B,C, col 13 line 63-col 14 line 5];

determining the topographic coordinate set of the one of the topographic network devices using the map [Fields, the topographical map with three components A,B,C, col 13 line 63-col 14 line 5]; and

inputting the topographic coordinate set into the one of the topographic network devices [Mattson, configuring or assigning addresses using the topographical information, abstract, col 2 lines 20-62; col 10 lines 46-63; col 14 lines 24-40].

7. As per claim 6, Fields-Mattson disclose transmitting the topographic coordinate set includes:

inserting the topographic coordinate set into a packet configured for transmission through the network [Fields, message header with address, col 13 lines 33-53]; and

transmitting the packet through the network to the topographic network devices connected to the one of the topographic network devices [Fields, textographical map is sent to the user interface builder, col 14 lines 5-25].

8. As per claim 7, Fields-Mattson disclose receiving and storing the topographic coordinate set includes:

receiving the packet including the topographic coordinate set at the at least one of the topographic network devices as a receiving network device [Fields, topographical map, col 13 lines 63-col 14 line 20]; sending the packet through the receiving network

Art Unit: 2142

device; extracting the topographic coordinate set from the packet; and storing the topographic coordinate set as a connected device coordinate set as inherent feature of topographical map [Fields, the extracted components, col 16 lines 20-30].

9. As per claim 8, Fields-Mattson disclose transmitting at least one of (a) a device type indication [Mattson, type of system element or router device, col 8 lines 44-50], and (b) additional topographic information, of the one of the topographic network device to ones of the topographic network devices directly connected thereto [Fields, the topographical map with three components A,B,C, col 13 line 63-col 14 line 5].

10. As per claim 11, Fields-Mattson disclose a method for transmitting a message, the method comprising:

providing a network including topographic network devices and communication link interconnecting the topographic network devices, the topographic network devices each having a physical location represented by a topographic coordinate set [Fields, topographical map, col 13 lines 63-col 14 line 20, and a network address that includes the topographic coordinate set, the topographic network devices including a source network device, a destination network device and an intermediate network device (i.e.: proxy server), ones of the topographic network devices, including the intermediate network device, having the topographic coordinate sets of those of the topographic network devices directly connected thereto stored therein as respective connected

Art Unit: 2142

device coordinate sets [Fields, proxy server, col 20 line 66-col 21 line 4; the user gets content directly from host site, col 6 lines 10-30];

inserting the topographic coordinate set of the destination network device into the message as a destination coordinate set [Fields, insert link , col 18 lines 17-30;col 22 lines 17-24]; and

transmitting the message through the network from the source network device to the destination network device [Mattson, messages are transmitted to system element, col 5 lines 42-col 6 line 19], including:

receiving the message at the intermediate network device, identifying, from the destination coordinate set and the connected device coordinate sets stored in the intermediate network device, one of the topographic network devices directly connected to the intermediate network device that is physically closer to the destination network device than the intermediate network device, and transmitting the message from the intermediate network device to the identified one of the topographic network devices [Fields, proxy server, col 20 line 66-col 21 line 4; the user gets content directly from host site, col 6 lines 10-30].

11. As per claim 12, Fields-Mattson disclose identifying one of the topographic network devices, the one of the topographic network devices that is physically closest to the destination network device is identified as inherent feature of Web server which the closest site provides information to client.

Art Unit: 2142

12. As per claim 13, Fields-Mattson disclose identifying one of the topographic network devices includes performing a topographic calculation using the destination coordinate set and the connected device coordinate sets stored in the intermediate network device as inherent feature of topographical map.

13. As per claim 14, Fields-Mattson disclose in providing the network, the ones of the topographic network devices additionally store at least one of (a) a device type indication [Mattson, type of system element or router device, col 8 lines 44-50], and (b) additional topographic information, of the ones of the topographic network devices directly connected thereto; and in identifying one of the topographic network devices, the one of the topographic network devices is identified additionally in response to at least one of the device type information and the additional topographic information as inherent feature of topographical map.

14. As per claim 15, Fields-Mattson disclose providing to ones of the topographic network devices, including the intermediate network device, additional topographic information relating to the network; and in identifying one of the topographic network devices, the one of the topographic network devices is identified in response to the additional topographic information in lieu of the destination coordinate set as inherent feature of topographical map.

Art Unit: 2142

15. As per claim 16, Fields-Mattson disclose identifying one of the topographic network devices, in lieu of being physically closer to the destination network device than the intermediate network device (i.e.: proxy server), the one of the topographic network devices is connected at least indirectly to the intermediate network device by one of the communication links at least one of (a) having a higher transmission capacity, and (b) carrying less network traffic as inherent feature of Internet.

16. As per claim 17, Fields-Mattson disclose the method additionally comprises generating the message addressed to a destination network device identified by a destination network address, the destination network address lacking a topographic coordinate set; and inserting the topographic coordinate set of the destination network device into the message as a destination coordinate set includes:

receiving the message at the intermediate network device proxy server, and in response to the destination network address, providing the topographic coordinate set of one of the topographic network devices as the destination coordinate set, the one of the topographic network devices being associated with the destination network device [Fields, topographical map, col 13 lines 63-col 14 line 20].

17. As per claim 18, Fields-Mattson disclose the destination network address includes a domain name [Fields, domain name, col 15 lines 15-30]; and

providing the destination coordinate set includes providing the topographic coordinate set of one of (a) the one of the topographic network devices directly

Art Unit: 2142

connected to the destination network device, and (b) one of the topographic network devices associated with the domain name [Fields, the topographical map with three components A,B,C, col 13 line 63-col 14 line 5; serving the content to the end user directly, col 6 lines 10-30].

18. As per claim 19, Fields-Mattson disclose in providing the network, the network includes regions and at least one of the topographic network devices is assigned to each of the regions as a respective regional network device (i.e.: router, proxy server or DNS), the regional network devices being interconnected by high-capacity ones of the communication link; and the method additionally comprises:

determining, from the destination coordinate set, whether the destination network device and the intermediate network device are located in a different ones of the regions, and when the destination network device and the intermediate network device are located in a different ones of the regions, routing the message from the intermediate network device located in a first one of the regions to the destination network device located in a second one of the regions via the regional network device of the first one of the regions and the regional network device of the second one of the regions Mattson, Mrouter, col 4 lines 42-67].

19. As per claim 20, Fields-Mattson disclose a method of transmitting a message, the method comprising:

providing a network including end-user devices, topographic routers and communication links interconnecting them, at least the topographic routers each having a physical location represented by a topographic coordinate set, and a network address that includes the topographic coordinate set, the end-user devices including a source network device and a destination network device [Mattson, topographical description and routing logic, col 10 lines 46-64];

transmitting a message from the source network device to an input router [Mattson, messages are transmitted to router, col 5 lines 58-67], the input router being the one of the topographic routers directly connected to the source network device, the message identifying the destination network device by a destination network address lacking a topographic coordinate set [Fields, proxy server, col 20 line 66-col 21 line 4; the user gets content directly from host site, col 6 lines 10-30];

in response to the destination network address, providing the topographic coordinate set of a one of the topographic routers associated with the destination network device as a destination coordinate set [Mattson, topographical description and routing logic, col 10 lines 46-64];

inserting the destination coordinate set into the message [Fields, insert link, col 18 lines 17-30; col 22 lines 17-24]; and in response to the destination coordinate set, topographically routing the message through the network to an output router, the output router being the one of the topographic routers directly connected to the destination network device [Fields, proxy server, col 20 line 66-col 21 line 4; the user gets content directly from host site, col 6 lines 10-30].

20. As per claim 21, Fields-Mattson disclose in providing the topographic coordinate set, the topographic coordinate set of the output router is provided [Mattson, topographical description and routing logic, col 10 lines 46-64].

21. As per claim 22, Fields-Mattson disclose in transmitting the message, the destination network address includes a domain name [Fields, domain name, col 15 lines 15-30];

in providing the topographic coordinate set, the one of the topographic routers whose topographic coordinate set is provided is a domain router, the domain router being a one of the topographic routers associated with the domain name;

topographically routing the message through the network includes:

topographically routing the message through the network to the domain router, in response to the destination network address, providing the topographic coordinate set of the output router as a new destination coordinate set [Mattson, topographical description and routing logic, col 10 lines 46-64], inserting the new destination coordinate set into the message, and in response to the new destination coordinate set, topographically routing the message through the network to the output router [Fields, insert link, col 18 lines 17-30; col 22 lines 17-24].

Art Unit: 2142

22. As per claim 23, Fields-Mattson disclose transmitting the message from the output router to the destination network device in response to the destination network address.

23. As per claim 24, Fields-Mattson disclose inserting the topographic coordinate set of the input router into the message as a reply-to coordinate set [Fields, insert link, col 18 lines 17-30;col 22 lines 17-24].

24. As per claim 25, Fields-Mattson disclose receiving the message at the destination network device as an original message [Mattson, messages are transmitted to system element, col 5 lines 58-67]; and creating a return message to include a destination network address identifying the source network device, the destination network address lacking a topographic coordinate set; and the reply-to coordinate set of the original message as a destination coordinate set [Fields, the set of pages is retrieved responsive to a client request, col 29 lines 8-12].

25. As per claim 26, Fields-Mattson disclose detecting whether the message additionally includes a destination coordinate set; and when a destination coordinate set is detected, omitting providing the destination coordinate set and inserting the destination coordinate set [Fields, insert link, col 18 lines 17-30;col 22 lines 17-24].

Art Unit: 2142

26. As per claim 27, Fields-Mattson disclose receiving a message at one of the topographic routers; detecting whether the message includes a destination coordinate set equal to the topographic coordinate set of the one of the topographic routers; and when the destination coordinate set is detected to be equal to the topographic coordinate set of the one of the routers, transmitting the message from the one of the routers to the destination network device in response to the destination network address [Mattson, topographical description and routing logic, col 10 lines 46-64].

27. Claims 4,9-10 are rejected under 35 U.S.C. § 103 as being unpatentable over Fields et al [Fields 6,605,120 B1] in view of Mattson et al [Mattson 5,983,269] and further in view of Dietzman [5,978,804].

28. As per claim 4, Fields-Mattson disclose assigning a network address to the topographic network devices [Mattson, abstract, col 2 lines 20-62; col 10 lines 46-63]

However Fields-Mattson does not detail the Internet with XML included the wireless network. As skilled artisan would have motivation to improved the Fields-Mattson teaching into the Wireless environment and found Dietzman teaching. Dietzman discloses a natural products information system using GPS and GIS including topographical map over Internet [Dietzman, Internet, col 5 lines 27-35; GPS/GIS and topographical map, col 7 lines 25-36; col 15 lines 29-61; col 32 lines 1-10]

providing a global positioning system receiver; co-locating the global positioning system receiver and the one of the topographic network devices ; and determining the topographic coordinate set of the one of the topographic network devices using the

Art Unit: 2142

global positioning system receiver [Dietzman, Internet, col 5 lines 27-35; GPS/GIS and topographical map, col 7 lines 25-36; col 15 lines 29-61; col 32 lines 1-10].

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the topographic map using on GPS environment via Internet as taught by Dietzman into the Fields-Mattson's apparatus in order to utilize the XML applications. Doing so would provide a dynamic configuration to a GPS network devices over Internet.

28. As per claim 9, Fields-Mattson-Dietzman disclose dividing the network into regions; assigning to each of the regions at least one of the topographic network devices as a regional network device [Fields, domain name, col 15 lines 15-30];

interconnecting the regional network devices of the regions by high- capacity ones of the communication link [Dietzman, satellite, col 15 lines 29-61; FDDI, col 26 lines 44-51]; and

supplying to ones of the topographic network devices in each one of the regions additional topographic information indicating the topographic coordinate set of the regional network device of the one of the regions and a topographic extent of at least some of the regions [Dietzman, clickable regions, col 25 lines 47-60].

29. As per claim 10, Fields-Mattson-Dietzman disclose routing the message from one of the topographic network devices located in a first one of the regions to another of the topographic network devices located in a second one of the regions via the regional

Art Unit: 2142

network device of the first one of the regions and the regional network device of the second one of the regions [Dietzman, clickable regions, col 25 lines 47-60].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (703)-305-4643. The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (703) 305-9705.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Thong Vu
Patent Examiner
Art Unit 2142

A handwritten signature in cursive script, appearing to read 'Thong', with a horizontal line underneath.